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**Boudreau, Paul E**

**To:** Burger, David  
**Subject:** RE: AP 7/16/06 article on el-Masri case

RELEASED IN FULL

**From:** Orlansky, Michael D  
**Sent:** Monday, July 17, 2006 12:11 PM  
**To:** Skopje Front Office; Hubler, Stephen A; Shott, Brian A  
**Subject:** AP 7/16/06 article on el-Masri case

An Associated Press story from yesterday FYI.

July 16, 2006

## **U.S. Won't Help German Kidnap Claim Probe**

By THE ASSOCIATED PRESS

Filed at 3:33 p.m. ET

BERLIN (AP) -- Germany said Sunday the United States has refused to help investigate the alleged abduction of a German citizen, a case that has ignited criticism of U.S. tactics against international terrorism.

Khaled al-Masri, who was born in Lebanon, says he was seized in Macedonia in December 2003 and flown by the CIA to a detention center in Afghanistan. He says he was questioned and abused during five months in custody before he was dumped in Albania.

Prosecutors in Munich have opened an investigation and Berlin asked Washington for assistance with it.

The U.S. Justice Ministry declined to help due to a civil lawsuit that al-Masri has brought against the Central Intelligence Agency, the German Justice Ministry said Sunday.

"The American side has informed us that no legal assistance can be provided in the al-Masri case, at least for the time being, in view of the ongoing civil case," ministry spokeswoman Eva Schmierer said.

The letter did not address al-Masri's allegations, Schmierer said, and she did not know when Berlin received the rejection.

Human rights advocates have seized on al-Masri's story to press the United States to stop flying terrorism suspects to other countries, where they could face abuse.

Secretary of State Condoleezza Rice and other U.S. officials have declined to address the al-Masri case. However, German Chancellor Angela Merkel has said the United States has acknowledged making a mistake with him.

German authorities insist they were unaware of al-Masri's case until after he was freed.

However, Germany's intelligence agency acknowledged in May that that one of its employees in Macedonia overheard at the time that a German citizen called al-Masri had been detained and passed to U.S. custody. It said

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the employee apparently failed to inform his superiors.

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